

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of : Customer Number: 41552  
Border, Wayne A., et al. : Confirmation Number: 6468  
Application No.: 08/349,479 : Tech Center Art Unit: 1644  
Filed: December 02, 1994 : Examiner: Phillip Gambel

For: INHIBITING TRANSFORMING GROWTH FACTOR  $\beta$  TO PREVENT ACCUMULATION OF  
EXTRACELLULAR MATRIX

**CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)**

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Dec 28, 2004.

Sarah Nunez

**NOTICE OF APPEAL**  
**FROM THE PRIMARY EXAMINER**  
**TO THE BOARD OF APPEALS**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated June 29, 2004, of the  
Primary Examiner finally rejecting claim 35.

Appeal Fee: \$250.00

- ☐ Not required (fee paid in prior appeal in this application).  
☒ Charge to Deposit Account No. 502624.  
☐ Check Enclosed.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Astrid R. Spain

Registration No. 47,956

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4370 La Jolla Village Drive, Suite 700  
San Diego, CA 92122  
Phone: 858.535.9001 ARS:cej  
Facsimile: 858.597.1585  
**Date: December 28, 2004**

**Please recognize our Customer No. 41552 as  
our correspondence address.**